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APPLICATION NO	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO	CONFIRMATION NO
09/900,881	07/10/2001	Benjamin Bikson	D-21126	5889

27182 7590 07/08/2002

PRAXAIR, INC.  
LAW DEPARTMENT - M1 557  
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DANBURY, CT 06810-5113

EXAMINER
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SPITZER, ROBERT H

ART UNIT	PAPER NUMBER
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1724

DATE MAILED: 07/08/2002

8

Please find below and/or attached an Office communication concerning this application or proceeding.

M=8

**Office Action Summary**

Application No.

09/900,881

Applicant(s)

Bikson et al.

Examiner

Robert H. Spitzer

Art Unit

1724



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 28-33 is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4                      6) ☐ Other:

Art Unit: 1724

### DETAILED ACTION

1. Claims 28-33 are allowed.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 is indefinite because there is no direct antecedent basis for the recitation of "said incoming feed gas", as there is no previous use of "incoming". Claims 2-20 are indefinite because they depend from indefinite claim 1. Claim 21 is indefinite because there is no direct antecedent basis for the recitation of "the water vapor". Claims 22-27 depend from indefinite claim 21 and are indefinite for that reason.

4. Claims 1-27 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

5. The references listed on both the PTO-1449 and the PTO-892 show art of interest, only over which the claims define allowable subject matter, and the check-marked references were cited by Applicants in their specification.

6. As allowable subject matter has been indicated, Applicants' response to this Office action should also include the following editorial changes: on Fig. 2, there is no number "212" thereon, as explained on page 18, line 4, and no description of number "202"; on Fig. 3, there is no number "319", and number "315" shows an outlet port and an unexplained element below number "304",

Art Unit: 1724

it appears that the unexplained number "304" should be removed from the drawing figure; page 2, lines 17 and 27, "cyclon" should be "cyclone"; page 5, line 1, either "the" or "said" in the expression "the said" should be canceled, and line 17, the second occurrence of "a" should be canceled; page 9, line 4, "cyclon" should be "cyclone"; page 15, line 23, "tubesheet" should be "tubesheets"; page 20, line 6, "method" should be "methods"; page 22, line 2, "220" should be "230", and line 9, "220" should be "230"; page 26, line 19, "320" should be "327"; and, claim 12, line 2, "cyclon" should be "cyclone".

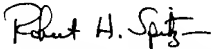
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert H. Spitzer whose telephone number is (703) 308-3794. The examiner can normally be reached on Monday-Thursday from 5:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Simmons, can be reached on (703) 308-1972. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9310 and for After Final communications the fax number is (703) 872-9311.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

Robert H. Spitzer

June 19, 2002

  
ROBERT H. SPITZER  
PRIMARY EXAMINER  
T.C. 1700  
June 19, 2002